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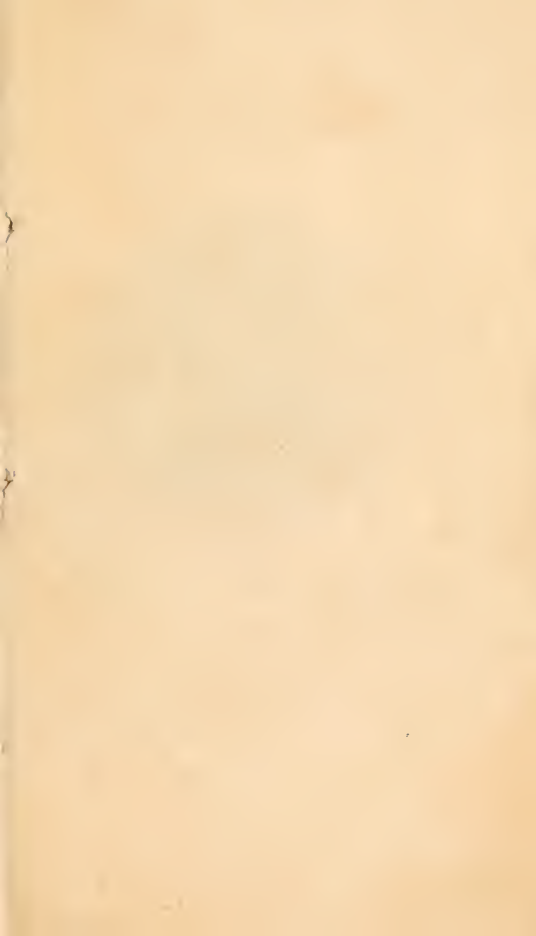








A.C. Lémont





L. C. Fournier



Wm. L. Dayton

Republican Campaign Edition for the Million.

CONTAINING

THE REPUBLICAN PLATFORM,

THE LIVES OF

FREMONT AND DAYTON,

WITH BEAUTIFUL STEEL PORTRAITS OF EACH.

ALSO,

THE DECLARATION OF INDEPENDENCE,

AND THE

CONSTITUTION OF THE UNITED STATES.

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THE REPUBLICAN PLATFORM,

ADOPTED BY THE PHILADELPHIA CONVENTION, JUNE
17TH, 1856. A GOOD DAY FOR THE ADOPTION OF
SUCH PRINCIPLES.

THIS Convention of Delegates, assembled in
pursuance of a call to the people of the United
States, without regard to past political differences
or divisions, who are opposed to the repeal of the
Missouri Compromise — to the policy of the pres-
ent administration — to the extension of slavery
into free territory; in favor of the admission of
Kansas as a free State — of restoring the action of
the Federal Government to the principles of
Washington and Jefferson, and for the purpose of
presenting candidates for the offices of President
and Vice-President, do —

Resolve, That the maintenance of the principles
promulgated in the Declaration of Independence,
and embodied in the Federal Constitution, are
essential to the preservation of our Republican
Institutions, and that the Federal Constitution, the

rights of the States, and the union of the States, must and shall be preserved.

Resolved, That with our Republican fathers, we hold it to be a self-evident truth that all men are endowed with the inalienable right of life, liberty, and the pursuit of happiness, and that the primary object and ulterior design of our Federal Government is to grant these rights to all persons under its exclusive jurisdiction. That, as our Republican fathers, when they had abolished slavery in all our national territory, ordained that no person shall be deprived of life, liberty, or property, without due process of law, it becomes our duty to maintain this provision of the Constitution against all attempts to violate it, for the purpose of establishing slavery in the territories of the United States by positive legislation, prohibiting its existence or extension therein. That we deny the authority of Congress, of a Territorial Legislature, of any individual or association of individuals, to give legal existence to slavery in any territory of the United States, while the present Constitution shall be maintained.

Resolved, That the Constitution confers upon Congress sovereign power over the territories of the United States for their government, and that in the exercise of this power, it is both the right

and the imperative duty of Congress to prohibit in the territories those twin relics of barbarism, polygamy and slavery.

Resolved, That while the Constitution of the United States was ordained and established by the people "in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty," and contains ample provisions for the protection of the life, liberty, and property of every citizen, the dearest constitutional rights of the people of Kansas have been fraudently and violently taken from them.

Their territory has been invaded by an armed force ;

Spurious and pretended legislative, judicial, and executive officers have been set over them, by whose usurped authority, sustained by the military power of the government, tyrannical and unconstitutional laws have been enacted and enforced ;

The right of the people to keep and bear arms has been infringed ; test oaths of an extraordinary and entangling nature have been imposed as a condition of exercising the right of suffrage and holding office ;

The right of an accused person to a speedy and public trial by an impartial jury has been denied ;

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, has been violated ;

They have been deprived of life, liberty, and property, without due process of law ;

That the freedom of speech and of the press has been abridged ;

The right to choose their representatives has been made of no effect ;

Murders, robberies, and arsons have been instigated and encouraged, and the offenders have been allowed to go unpunished ;

That all these things have been done with the knowledge, sanction, and procurement of the present national administration, and that for this high crime against the Constitution, the Union, and humanity we arraign that administration, the President, his advisers, agents, supporters, apologists, and accessories, either *before* or *after* the fact, before the country and before the world ; and that it is our fixed purpose to bring the actual perpetrators of these atrocious outrages, and their accomplices, to a sure and condign punishment hereafter.

Resolved, That Kansas should be immediately admitted as a State of this Union, with her present free Constitution, as at once the most effectual way of securing to her citizens the enjoyment of the rights and privileges to which they are entitled, and of ending the civil strife now raging in her territory.

Resolved, That the highwayman's plea that might makes right, embodied in the Ostend Circular, was in every respect unworthy of American diplomacy, and would bring shame and dishonor upon any government or people that gave it their sanction.

Resolved, That a railroad to the Pacific Ocean, by the most central practical route, is imperatively demanded by the interests of the whole country, and that the federal government ought to render immediate and sufficient aid in the construction, and as an auxiliary thereto, to the immediate construction of an emigrant road on the line of the railroad.

Resolved, That appropriations by Congress for the improvement of rivers and harbors of a national character required for the accommodation and security of an existing commerce, are authorized by the Constitution, and justified by the obligations of government to protect the lives and property of its citizens.

Resolved, That we invite the affiliation and co-operation of men of all parties, however differing from us in other respects, in support of the principles herein declared, and believing that the spirit of our institutions, as well as the Constitution of our country, guarantees liberty of conscience and equality of rights among citizens, we oppose all legislation impairing their security.

JOHN CHARLES FREMONT,

THE REPUBLICAN CANDIDATE FOR PRESIDENT
OF THE UNITED STATES.

The following sketch of the life of this distinguished man, who will be, if he lives, the next President of the United States, we take from the New York Tribune.

JOHN C. FREMONT, whom the People's Convention at Philadelphia have selected to head the grand exploring expedition in search of the lost and almost forgotten landmarks of the Constitution, is still a young man. His father, who died when he was a child, was a Frenchman, his mother a Virginian. He was born at Savannah on the 21st of January, 1813, and educated at Charleston, South Carolina, where his mother, left a widow with three children, had taken up her residence. The circumstances of the family were exceedingly narrow, and the childhood of Fremont was surrounded by privations and difficulties which with

a powerful nature like his, naturally tended to develop the heroic elements of his character.

At Charleston, Fremont enjoyed the instructions of Dr. John Robertson, who, in the preface to a translation of Zenophon's *Retreat of the Ten Thousand*, which he published in 1850, records with pride the remarkable proficiency of his pupil. In 1828 he entered the junior class of Charleston College. After leaving which he employed himself for some time as a teacher of mathematics. In 1833 he obtained that post on board the sloop-of-war *Natchez*, which had been sent to Charleston to put down the nullifiers (a purpose similar to that for which he is now nominated for President), and on board of her he made a cruise of two years and a half. On his return he adopted the profession of a surveyor and railroad engineer, and was employed in that capacity under Captain Williams of the Topographical Engineers in the survey of a route from Charleston to Cincinnati. When this survey was suspended, he accompanied Captain Williams in a reconnoissance of the country then occupied by the Cherokees, after which he joined M. Nicolet, a distinguished French savan in the employ of the United States, in an exploring expedition over the north-western prairies. He was employed in this survey, in which he acted as

principal assistant, during the years 1838 and 1839, and while absent upon it was appointed a Second Lieutenant in the Corps of Topographical Engineers. While reducing the materials of this survey, and preparing maps and a report, he resided for some time at Washington, where he formed the acquaintance of the family of Mr. Benton, resulting in his marriage, in 1841, to one of Mr Benton's daughters.

Shortly after, in May, 1842, he started on the first of his three great exploring expeditions. This expedition, which occupied about five months, resulted in the exploration of the famous South Pass across the Rocky Mountains, and in the ascent by Fremont and four of his men of the Wind River Peak, the highest summit of the Rocky Mountain chain. The report of this exploration attracted great attention, both at home and abroad, as well for its unpretending modesty as for the importance of the information contained in it. This report was scarcely published when its author started on a second expedition designed to connect the discoveries of the first one with the surveys to be made by Commodore Wilkes of the Exploring Expedition on the Pacific coast, and thus to embrace a connected survey of the almost unknown regions on both sides of the Rocky

Mountains. The party, including thirty-nine persons, started from the village of Kansas on the 29th of May, 1843, and were employed in the exploration till August of the next year. It was this exploration that first furnished any accurate information as to the Great Salt Lake, the great interior basin of Utah, and the mountain range of the Sierra Nevada, and first brought to light, as it were, the region now constituting the Territory of Utah and the State of California.

After preparing the report of this expedition in the spring of 1845, Fremont, now a captain, set out on a third expedition designed to make a more particular survey of the regions which he had previously visited. It was while engaged in this expedition, and before he had received any intimation of the commencement of the war with Mexico, that, after having himself been once ordered off by the authorities, he was induced by the entreaties of the American settlers in the valley of the Sacramento, whom the Mexicans threatened to drive out of the country, to put himself at their head. Thus led, they defeated the Mexicans. Fremont put himself into communication with the naval commanders on the coast, and soon in conjunction with Commodore Stockton, obtained complete possession of California, of which, on the 24th of Au-

gust, he was appointed by Stockton, Military Commander. The fighting, however, was not yet over. The Californians rose in insurrection; but the arrival of General Kearney with his dragoons from New Mexico, enabled the Americans, after some hard-fought battles, to maintain themselves in possession. Pending these operations, a commission arrived for Fremont as Lieutenant-Colonel — a promotion which neither he nor his friends had solicited, but which he gladly received as a ratification on the part of the government of his intervention, on his own responsibility, in the affairs of California.

From the moment of Kearney's arrival a dispute had sprung up between him and Commodore Stockton as to the chief command. Kearney sought to throw upon Fremont the responsibility of deciding between their respective claims. This he declined, professing his readiness, if they would agree between themselves, to obey either; but declaring his intention, till that point was settled, to continue to obey the commander under whom he had first placed himself, and by whom the war had been conducted. Kearney was greatly dissatisfied at this, but dissembled his resentment till they both reached Fort Leavenworth on their return home, when he arrested Fremont for disobedi-

ence of orders and brought him to trial before a court-martial.

As this court held that Kearney was the rightful commander, they found Fremont guilty of the charges, and sentenced him to be dismissed from the service. Mr. Polk, then President, signed the sentence as being technically right, but at the same time offered Fremont a new commission of the same grade as that of which he had been deprived. This Fremont refused, and returned a simple citizen to private life. Thus, discharged from the service of the government, he undertook a fourth exploring expedition of his own, with a view to discover a passage across the Rocky Mountains southerly of the South Pass, near the head of the Arkansas, which might serve the purpose of a railroad communication with California. He started from Pueblo, on the Upper Arkansas, with thirty-three men and a hundred and thirty-three mules ; but, misled by his guides, all his mules and a third of his men perished in the snows and cold of the Sierra San Juan, and he himself arrived on foot at Santa Fé with the loss of every thing but his life. Not, however, to be baffled, he refitted the expedition, and in a hundred days, after fresh dangers, reached the banks of the Sacramento.

In the rising State of California in which he

had become one of the earliest American proprietors by the purchase during his former visit of the since famous Mariposa grant, Mr. Fremont took a great interest. He was active in the formation of the State constitution, and in securing in that document a positive exclusion of Slavery, and was chosen one of the first Senators to represent the new State in Congress. A short term of two years fell to his lot, and, owing to the delay in the admission of the State, he sat in the Senate only one short session. On the expiration of his term the political control of the State had passed into new hands, of which a striking proof was given in the choice of John B. Weller, a decided Pro-Slavery man, as his successor in the Senate.

Mr. Fremont now devoted himself to developing the resources of his California estate, which had been discovered to be rich in gold; but, in addition to the loss of his commission, as the only reward he had realized for his services in California, he now found himself greatly annoyed by claims against him for supplies which, during his campaign in California, had been furnished to the United States on his private credit. During a visit to London he was arrested on one of these claims, and it was only after great delay that the Government of the United States was finally

induced to relieve him from further annoyance by the payment of these debts. In maintaining his right to the Mariposa property, he was also obliged to encounter many annoyances on the part of the government which resisted his claim, but finally, by repeated decisions of the Supreme Court of the United States, he triumphed over all of them.

Having exhibited a singular force of character and a distinguished ability in every undertaking to which he has applied himself, he has now been called by the loud voice of his fellow-citizens in almost all parts of the Union, to place himself at the head of a new, more difficult, but at the same time most glorious enterprise — that of rescuing the Government and the Union from the hands of a body of unprincipled politicians, who threaten to subject the country to the double misery of despotism and of anarchy. May he be as successful in this as in every thing else that he has undertaken ! And that he will be, who can doubt ? for surely every honest man in the country will hasten to aid him with his voice and his vote.

WILLIAM LEWIS DAYTON,

THE REPUBLICAN CANDIDATE FOR VICE-
PRESIDENT.

We are indebted to the able editor of the Boston Chronicle for the following sketch of this eminent statesman.

WILLIAM LEWIS DAYTON, the Republican candidate for Vice-President, belongs to an old revolutionary family of New Jersey, a State that has produced a large number of eminent men, whose names are imperishably recorded on the pages of their country's history. The Daytons were among the early settlers of New Jersey. They were people of good standing in the colonial times, and in the Revolution became conspicuous for their services in the patriotic cause. Elias Dayton was a General of Brigade. His son, Jonathan Dayton, was conspicuous as a member of the national legislature, and was elected speaker of the House of Representatives in 1795. Joel

Dayton, a farmer, and not a public man, resided at Baskenridge. His eldest son was WILLIAM LEWIS DAYTON, who was born on the 17th of February, 1807. He was graduated at the College of New Jersey, in 1825. He made choice of the legal profession, but want of health prevented his being admitted to the bar until five years later, in 1830. He studied with Governor Vroom, one of the first lawyers of the country. In 1835, he was chosen a member of the Senate of New Jersey, though Monmouth county, in which he resided, was a strong Democratic place, and Mr. Dayton was a thorough-going Whig. We believe the county was never before or afterwards carried by the Whigs. It shows how popular he must have been to be able to cause his political opponents so completely to "conquer their prejudices," for in those days the lines of division were strongly drawn between the Whigs and the Democrats. Appointed to the chairmanship of the Judiciary Committee, Mr. Dayton was instrumental in effecting valuable legal reforms, a fact that shows his superiority to professional influences, lawyers being generally conservative in all their ideas, and particularly averse to changes in modes of legal procedure. The next year he was made a justice of the Supreme Court of New Jersey, and, though

he was but twenty-nine years old, he early obtained a high reputation as a jurist. No name stands higher than his on the roll of the Judges of New Jersey. He held the office three years, at the end of which time he returned to the bar, and soon became its head, as for some time before he had been one of its most brilliant ornaments.

Mr. Dayton's career as a national statesman commenced in 1842, when he was in his thirty-sixth year. Samuel L. Southard, a man of the highest talent and reputation, and who had done much to elevate the character of New Jersey in the national councils, died that year. At the time of his death he was a member of the United States Senate, in which body he had served for many years. The legislature of New Jersey not being in session at the time, a vacancy was thus caused in that State's delegation; it was filled by Executive appointment, and Governor Pennington named Judge Dayton to fill it. This appointment was approved by the legislature, which elected Mr. Dayton to serve out the balance of Mr. Southard's term. That term expiring in 1845, he was re-elected for a full term of six years. He served in the Senate from the 6th of July, 1842, to the 4th of March, 1851. He soon became known to the nation as one of the ablest members of the Senate,

which then commanded the highest respect of the people, a position which in these latter days it has done much to forfeit by its servility to executive power. He spoke on the various great questions that came before the Senate, and his speeches were remarkable for the evidences they contained of various, extensive, and well-digested attainments, their vigorous logic, and their strict pertinence to the subjects under discussion. No senator was more respected, or enjoyed a larger measure of public confidence and esteem. His retirement from the public service was a loss that was felt, the more so that the Senate was losing its high character through the withdrawal from it of many of its oldest and best members. We have understood that if President Taylor had lived, Senator Dayton was to have been appointed to one of the first diplomatic posts within his gift, and doubtless he would have filled the place with that usefulness which has marked all his official life.

The nomination of Mr. Dayton is on all accounts an excellent one. His long experience in the Senate has made him familiar with the order of proceeding in that body, and qualified him to preside over its deliberations. His character is pure, and commends him to the confidence of the

people. It was due to the Whigs, so many of whom are engaged in the movement against the extension of slavery, that one of the nominees should be selected from among their old leaders, and in naming Mr. Dayton as the candidate for the Vice-Presidency, the Philadelphia Convention did no more than justice to a numerous and influential portion of the opposition, whose hostility to the encroachments of slavery in past times is the best guaranty for their present sincerity and for their future labors being rightly directed. On the leading question of the day, that to settle which in favor of freedom has caused so many old political foes to forget past quarrels, and to unite in order the better to labor for their country's welfare, Mr. Dayton's views are every thing that could be desired. He is no sudden convert to the party of freedom, as the views of that party concerning the power of Congress to legislate with respect to slavery in the territories were entertained by him years ago, and were boldly expressed long before the repeal of the Missouri Compromise was thought of. "It does seem to me," he said, in his speech on the Treaty with Mexico, "that if there ever were any doubts on this question as to the power of Congress to legislate with respect to slavery in the territories, those doubts must be held settled

by the past conduct of the government." It is well known that President Taylor intended to settle the disputes about slavery that he found existing when he came into power, in a manner which would have been very liberal to the North, and at the same time have been strictly just to the South. His death — the most serious loss our country ever sustained in that way, as it opened up the political field to a gang of political agitators, who sought to make "political capital" out of the slavery question — caused the failure of his plans, and the triumph of the pro-slavery interest under the lead of Northern flunkies. Mr. Dayton was one of the most intimate and influential advisers of President Taylor, in this matter, and was first among those who were relied upon to carry the proper measures through the Senate. The country would never have been cursed, and insulted, and degraded in the eyes of the world, by the passage of the Fugitive Slave Law, had the views of Mr. Dayton and his friends prevailed, — as would have been the case had President Taylor lived. Such a man is well worthy of the votes of all who would have something done to put a stop to the usurpations of the slave power, and who would have the high places of government filled with high-minded and able statesmen. The oppo-

sition can carry the country if they choose to do so. They have it in their power, through union, to strike down the revolutionists at Washington, and to place the government once more in the hands of men who will administer it according to the terms of the Constitution. With such candidates as FREMONT and DAYTON they can unite with perfect propriety, those candidates being the representatives of ideas that are entertained by three fourths of the voters of the country, and which therefore ought to predominate in and control the councils of government. Union is victory always, but it is emphatically so in this election, on the part of the opposition. The very fact that the electoral system operates most unequally against us should cause us to contend the more earnestly, so that our success shall be the more striking, and more the result of our labors than of the favors of fortune.

THE REPUBLICAN CANDIDATE.

The following admirable parallelism between WASHINGTON, the father of his country, and FREMONT, the finder and preserver of Republics, we copy from the New York Independent.

As our readers well know, we were not of the number of those who urged most strenuously the selection of Colonel Fremont by the Convention at Philadelphia, as the standard-bearer, in the great political campaign which is now upon us, of those principles of justice, humanity, and liberty to which our earnest adherence is given. While highly appreciating, and heartily admiring, the noble and signal qualities of this gentleman, we felt a desire that if possible some well-tried Captain in the ranks, which so long have stood unconquered for the Right, should be selected to lead them to the victory which is now, we trust and believe, before them. But since this selection has been made, we are led most clearly to recognize in it the good hand of God; and to feel, as we almost never have felt hitherto, that Providence has raised up, has endowed, and has trained this workman for his office, the Man for the Hour. If the election in November shall result, as we are well persuaded

that it will, in placing him in the chair of the President of these United States, then we are compelled to say that in no one instance in all the history of our nation, since the freight of the Mayflower was landed at Plymouth, will the guiding and governing mind of God, interposing for our protection, have been more clearly shown than in raising him up to meet this crisis.

Young, unworn, entirely fresh in political life, there are upon him no marks of past controversies, there are about him no odors of past political errors, or partisan wrongs. Of an inventive, prompt, and discriminating mind, as all his history shows, and now in the full and perfect prime of every power, he is able to meet, if any man can, the whole demand of the present emergency. Of French extraction, on his father's side, he is yet thoroughly an American, by birth, by training, by his maternal ancestry, and by all his ideas of government and of religion. Born in Georgia, and educated at the institutions of South Carolina, his chosen home has still been at the West, and his ardor for freedom has never failed or wavered. A child of poverty, and a man of the people, his career has been more signally heroic than that of any other living American; and he has won his steady way to opulence and honor, through the unaccustomed paths of self-denial and fortitude.

Delicate in frame, entirely modest and unassuming in deportment, he has inspired the love of the stalwart and fiery pioneers of the West, as almost no man before has done; and his name would now rally thousands on the borders to any

most difficult and hazardous enterprise. Of extraordinary executive and administrative powers, he combines with these equally the tastes of the scholar, the practised enterprise and skill of the soldier. His name is as well known in the Old World as in the New. And while the South has furnished his birthplace, and the wildernesses of the West the chosen scene of his chief exertions, California, the youngest and wealthiest of the States, owes to him her exploration and her subsequent conquest, and to him in great part her present freedom. The whole country, therefore, and every part of it, has an interest in his name. The young men of the country, especially, must rally to him as their natural leader, with ready enthusiasm. His very name seems a watchword for liberty; and already crowds make the echoes ring with the stirring *refrain* of Free-soil, Free-speech, Free-men, and FREMONT!

With him in the Presidential chair, the last threat of disunion will speedily and for ever be silenced at the South. The bravos who steal unsuspected into the Senate-chamber, and whose only reply to an argument is the bludgeon, will be as whist as a London pickpocket with the police-man beside him, before the intrepid and self-poised will of him who has faced the mountain-snows while they were daintily dallying at home; of him whom Indians and Mexicans could not scare — though with tenfold his force — now wielding the treasury and the army of the country. Nay, with him in that chair we have the firmest conviction that all sections will feel safe,

and that speedy calm will succeed the recent and the present agitations ; while his life and his words give the amplest guaranty that the influence of the government will all be employed on the side of freedom and *its* benign order.

It is somewhat curious to notice the striking correspondences between the history of this young Republican Captain, and that of him whom our fathers took as their leader, in the *first* great struggle for Liberty on this continent. A part of these have been noticed by the papers, and by speakers. Others we have not seen referred to. They are interesting and suggestive. Washington was left in childhood, by the death of his father, to the charge of his mother. Fremont was so likewise, at a still earlier period, and in circumstances certainly much less auspicious. Washington had early a passion for the sea, so strong that a midshipman's warrant was obtained for him by his friends. Fremont went to sea, and was there employed for more than two years. Washington was introduced to public life through his service on the frontiers, as a surveyor and civil engineer. Fremont won his discipline and his early fame in the same department, and by his use and practice in it became fitted, in mind and body, to "endure hardness." Washington learned all that he knew of war in Indian combats and the strife of the wilderness, and rose thus to the rank of Colonel in the provincial troops. Fremont's school was the same, and he has gained the same rank. Washington had had small experience as a legislator, until he was called to the head of the Government. He

was taken for his well-tried general qualities, and not for any distinction he had achieved as a diplomatist or a statesman; and here again the parallel holds. Washington was sneered at by the men of routine, was hated and assailed by the Tories of that day, as a soldier who had "never set a squadron in the field;" until his energy and patience drove them all out of it. The same class of attacks are now made on Fremont; to be answered we trust, in the same impressive way. His friends early felt that Washington was specially fitted and preserved of Providence to become the head of the nation; as Rev. Samuel Davies expressed it, that "Providence has hitherto preserved him in so signal a manner for some important service to his country." The same expectation, becoming almost a premonition, has for years been general among the friends of Fremont. Dr. Robertson, his early teacher, expressed it in the preface to his edition of the *Anabasis*, published years ago, in these words: "Such, my young friends, is an imperfect sketch of my once beloved and favorite pupil, who may yet rise to be at the head of this great and growing Republic. My prayer is that he may ever be opposed to war, injustice, and oppression of every kind, a blessing to his country, and an example of every noble virtue to the whole world." Washington was called to the head of the army at the age of forty-four; and if Colonel Fremont shall live to see the 4th of March next, we confidently expect that the singular parallel will so far be perfected!

COL. FREMONT'S LETTER OF ACCEPT- ANCE.

NEW YORK, July 8, 1856.

Gentlemen—You call me to a high responsibility by placing me in the van of a great movement of the people of the United States, who, without regard to past differences, are uniting in a common effort to bring back the action of the Federal Government to the principles of Washington and Jefferson. Comprehending the magnitude of the trust which they have declared themselves willing to place in my hands, and deeply sensible to the honor which their unreserved confidence in this threatening position of the public affairs implies, I feel that I cannot better respond than by a sincere declaration that, in the event of my election to the Presidency, I should enter upon the execution of its duties with a single-hearted determination to promote the good of the whole country, and to direct solely to this end all the power of the government, irrespective of party issues, and regardless of sectional strifes.

The declaration of principles embodied in the re-

solves of your Convention, expresses the sentiments in which I have been educated, and which have been ripened into convictions by personal observation and experience. With this declaration and avowal, I think it necessary to revert to only two of the subjects embraced in the resolutions, and to those only because events have surrounded them with grave and critical circumstances, and given to them especial importance.

I concur in the views of the Convention deprecating the foreign policy to which it adverts. The assumption that we have the right to take from another nation its domains, because we want them, is an abandonment of the honest character which our country has acquired. To provoke hostilities by unjust assumptions, would be to sacrifice the peace and character of the country, when all its interests might be more certainly secured and its objects attained by just and healing counsels, involving no loss of reputation.

International embarrassments are mainly the results of a secret diplomacy, which aims to keep from the knowledge of the people the operations of the government. This system is inconsistent with the character of our institutions, and is itself yielding gradually to a more enlightened public opinion, and to the power of a free press, which, by its broad dissemination of political intelligence, secures in advance

to the side of justice the judgment of the civilized world. An honest, firm and open policy in our foreign relations, would command the united support of the nation, whose deliberate opinions it would necessarily reflect.

Nothing is clearer in the history of our institutions than the design of the nation in asserting its own independence and freedom to avoid giving countenance to the extension of slavery. The influence of the small, but compact and powerful class of men interested in slavery, who command one section of the country, and wield a vast political control as a consequence, in the other, is now directed to turn back this impulse of the revolution, and reverse its principles. The extension of slavery across the continent is the object of the power which now rules the government, and from this spirit has sprung those kindred wrongs in Kansas, so truly portrayed in one of your resolutions, which prove that the elements of the most arbitrary governments have been vanquished by the just theory of our own.

It would be out of place here to pledge myself to any particular policy that may be suggested to terminate the sectional controversy engendered by political animosities operating on a powerful class, banded together by a common interest. A practical remedy is the admission of Kansas into the Union as a free State. The South should, in my judgment,

earnestly desire such a consummation. It would vindicate its good faith; it would correct the mistake of the repeal, and the North, having practically the benefit of the agreement between the two sections, would be satisfied, and good feeling be restored. The measure is perfectly consistent with the honor of the South, and vital to its interests.

That fatal act which gave birth to this purely sectional strife, originating in the scheme to take from free labor the country secured to it by a solemn covenant, cannot be too soon disarmed of its pernicious force. The only genial region of the middle latitudes left to the emigrants of the Northern States for homes, cannot be conquered from the free laborers, who have long considered it as set apart for them in our inheritance, without provoking a desperate struggle. Whatever may be the persistence of the particular class which seems ready to hazard everything for the success of the unjust scheme it has partially effected, I firmly believe that the great heart of the nation which throbs with the patriotism of the free men of both sections, will have power to overcome it. They will look to the rights secured to them by the Constitution of the Union, as their best safeguard from the oppression, of the class, which by a monopoly of the soil, and of slave labor to till it, might, in time, reduce them to the extremity of laboring upon the same terms with the slaves. The great body of non-slave-

holding freemen, including those of the South, upon whose welfare slavery is an oppression, will discover that the power of the General Government over the public lands may be beneficially exerted to advance their interests and secure their independence. Knowing this, their suffrages will not be wanting to maintain that authority in the Union, which is absolutely essential to the maintenance of their own liberties, and which has more than once indicated the purpose of disposing of the public lands in such a way as would make every settler upon them a freeholder.

If the people entrust to me the administration of the Government, the laws of Congress in relation to the Territories will be faithfully executed. All its authority will be exerted in aid of the National will to re-establish the peace of the country, on the just principles which have heretofore received the sanction of the Federal Government, of the States, and of the people of both sections. Such a policy would leave no aliment to that sectional party which seeks its aggrandisement by appropriating the new territories to capital in the form of slavery, but would inevitably result in the triumph of free labor, the natural capital which constitutes the real wealth of this great country, and creates that intelligent power in the masses alone to be relied on as the bulwark of free institutions.

Trusting that I have a heart capable of comprehending our whole country with its varied interests, and confident that patriotism exists in all parts of the Union, I accept the nomination of your Convention in the hope that I may be enabled to serve usefully its cause, which I consider the cause of Constitutional Freedom.

Very respectfully,

Your obedient servant,

J. C. FREMONT.

To Henry S. Lane, President of the Convention.

JUDGE DAYTON'S LETTER OF ACCEPTANCE.

TRENTON, N. J., July 7, 1856.

Gentlemen—I have the honor to acknowledge the receipt of your letter informing me that, at a Convention of Delegates, recently assembled in Philadelphia, I was unanimously nominated as their candidate for the Vice Presidency of the United States, and requesting my acceptance of such nomination.

For the distinguished honor thus conferred, be pleased to accept for yourselves and in behalf of the Convention you represent, my sincere thanks.

I have only to add, that having carefully examined the resolutions adopted in that Convention, as indicating the principles by which it was governed, I find them, in their general features, such as have heretofore had my hearty support. My opinions and votes against the extension of slavery into free territory, are of record and well known. Upon that record I am willing to stand. Certainly nothing has since occurred which would tend to modify my opinions previously expressed upon that subject. On the contrary, the repeal of the Missouri Compromise (that greatest wrong, portentous of mischief,) but adds strength to the conviction, that these constant encroachments must be calmly, but firmly, met ;—that this repealing Act should be itself repealed, or remedied by every just and constitutional means in our power.

I very much deprecate all sectional issues. I have not been in the past, nor shall I be in the future, instrumental in fostering such issues. But the repeal of the Missouri Compromise, and, as a consequence, the extension of slavery, are no issues raised by us ; they are issues forced upon us, and we act but in self-defence when we repel them. That section of the country which presents these issues is responsible for them ; and it is this sectionalism which has subverted past compromises, and now seeks to force slavery into Kansas. In reference to other subjects

treated of in the resolutions of the Convention, I find no general principle or rule of political conduct to which I cannot and do not yield a cordial assent. But while thus expressing a general concurrence in the views of the Convention, I cannot but remember that the Constitution gives to the Vice President little power in matters of general legislation; that he has not even a vote except in special cases; and that his rights and duties as prescribed in that instrument are limited to presiding over the Senate of the United States. Should I be elected to that high office, it will be my pleasure, as it will be my duty, to conduct, so far as I can, the business of that body in such a manner as will best comport with its own dignity; in strict accordance with its own rules, and with a just and courteous regard to the equal rights and privileges of all its members.

Accepting the nomination tendered through you, as I now do, I am, gentlemen,

Very respectfully yours,

WM. L. DAYTON.

To Henry S. Lane, President of the Convention.

DECLARATION OF INDEPENDENCE,

AND

CONSTITUTION

OF THE

UNITED STATES OF AMERICA,

WITH ITS

AMENDMENTS.

CENSUS OF 1850.



BOSTON:

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1856.

DECLARATION OF INDEPENDENCE.

WHEN, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident—that all men are created equal ; that they are endowed by their Creator with certain inalienable rights ; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed ; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence indeed will dictate, that governments long established should not be changed for light and transient causes, and accordingly, all experience hath shown, that

mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having in direct object, the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature; a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into a compliance with his measures.

He has dissolved representative houses repeatedly, for opposing with manly firmness his invasion on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected ; whereby the legislative powers, incapable of annihilation, have returned to the people at large, for their exercise : the state remaining in the mean time, exposed to all the dangers of invasion from without, and convulsions from within.

He has endeavored to prevent the population of these states ; for that purpose obstructing the laws for naturalization of foreigners ; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of new officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws, giving his assent to their acts of pretended legislation.

For quartering large bodies of armed troops among us.

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states.

For cutting off our trade with all parts of the world.

For imposing taxes on us without our consent.

For depriving us, in many cases, of the benefits of trial by jury.

For transporting us beyond seas to be tried for pretended offences.

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies.

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments.

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy scarce

paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation!

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections among us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injuries. A prince whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attention to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connection and correspondence. They too, have been deaf to the voice of justice and consanguinity. We must therefore acquiesce in the necessity which denounces our separation, and hold them as we hold the rest of mankind, enemies in war, in peace, friends.

We, therefore, the representatives of the United States of America, in general congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by the authority of the good people of these colonies, solemnly publish and declare, That these united colonies are, and of right ought to be **FREE AND INDEPENDENT STATES** ; that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain, is, and ought to be, totally dissolved ; and that as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other, our lives, our fortunes, and our sacred honor.

CONSTITUTION OF THE UNITED STATES,

Framed at Philadelphia, in 1787, by a Convention of Delegates from the States of New Hampshire, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia,—ratified by the Convention of Eleven States, in 1788,—and went into operation the 4th of March, 1789,

WITH THE AMENDMENTS.

WE, the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I.

SECTION I. Legislative Powers.

1. All legislative powers herein granted, shall be vested in a congress of the United States, which shall consist of a senate and house of representatives.

SECTION 2.—Members of House of Representatives. how chosen. Qualification. Apportionment. Vacancies, how filled. Officers. Impeachment.

1. The house of representatives shall be composed of members chosen every second year by

the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

2. No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4. When vacancies happen in the representation from any state, the executive authority thereof

shall issue writs of election to fill such vacancies.

5. The house of representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

SECTION III.—Senate, how chosen. Classification. Qualification. Vice-President's vote. Officers. Try Impeachments. Judgment on Impeachment.

1. The senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class, at the expiration of the fourth year, and of the third class, at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments, until the next meeting of the legislature, which shall then fill such vacancies.

3. No person shall be a senator, who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of the state for which he shall be chosen.

4. The vice-president of the United States shall be president of the senate, but shall have no vote, unless they be equally divided.

5. The senate shall choose their other officers and also a president *pro tempore*, in the absence of the vice-president, or when he shall exercise the office of president of the United States.

6. The senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment in cases of impeachment shall not extend farther than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit, under the United States; but the party convicted shall nevertheless be liable, and subject to, indictment, trial, judgment, and punishment according to law.

SECTION IV.—Elections for Senators and Representatives, how held. Congress assemble annually.

1. The times, places, and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof; but the congress may, at any time, by law, make or alter such regulations, except as to the places of choosing senators.

2. The congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION V.—Elections, by whom judged. Quorum. Rules. Journal. Adjournment.

1. Each house shall be the judge of the elec-

tions, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each house may provide.

2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two thirds, expel a member.

3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either house on any question, shall, at the desire of one fifth of those present, be entered on the journal.

4. Neither house, during the session of congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SECTION VI.—Compensation. Privileges. Members not appointed to office.

1. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to, and returning from, the same; and for

any speech or debate in either house, they shall not be questioned in any other place.

2. No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time : and no person holding any office under the United States, shall be a member of either house during his continuance in office.

SECTION VII.—Revenue. Bills. Orders, resolutions, &c., to be presented to the President of the United States for approval.

1. All bills for raising revenue, shall originate in the house of representatives ; but the senate may propose, or concur with amendments, as on other bills.

2. Every bill which shall have passed the house of representatives and the senate, shall, before it become a law, be presented to the president of the United States ; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas

and nays, and the names of the persons voting for and against the bill, shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days, (Sundays excepted,) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the congress by their adjournment, prevent its return, in which case it shall not be a law.

3. Every order, resolution, or vote, to which the concurrence of the senate and house of representatives may be necessary, (except on a question of adjournment,) shall be presented to the president of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION VIII.—Congress to lay Taxes; Borrow Money; Regulate Commerce, Naturalization, Bankruptcies, Coin, Weights, and Measures; Punish Counterfeiting; Create Post-Offices; Promote Science; Constitute Courts; Punish Piracies; Declare War; Raise Armies; Maintain a Navy; Organize the Militia; have Legislation over certain Places.

1. The congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises, shall be uniform throughout the United States;

2. To borrow money on the credit of the United States;

3. To regulate commerce with foreign nations, and among the several states, and with the Indian tribes ;

4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States ;

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures ;

6. To provide for the punishment of counterfeiting the securities and current coin of the United States ;

7. To establish post-offices, and post-roads ;

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors, the exclusive right to their respective writings and discoveries ;

9. To constitute tribunals inferior to the supreme court ;

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations ;

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water ;

12. To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years ;

13. To provide and maintain a navy ;

14. To make rules for the government and regulation of the land and naval forces ;

15. To provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions ;

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by congress.

17. To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings:—And

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

SECTION IX.—Importation of persons after 1808. Habeas Corpus. Attainder. Tax. No exportation duty. No preference in Commerce or Tonnage. Money, how drawn. No Titles to be granted.

1. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

2. The privilege of the writ of habeas corpus

shall not be suspended, unless when in cases of rebellion or invasion, the public safety may require it.

3. No bill of attainder or ex post facto law shall be passed.

4. No capitation, or other direct tax, shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

5. No tax or duty shall be laid on articles exported from any state.

6. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another; nor shall vessels bound to, or from, one state, be obliged to enter, clear, or pay duties in another.

7. No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

8. No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them, shall, without the consent of the congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

SECTION X.—States not to make Treaties, lay Imposts, or Duty on Tonnage, &c.

1. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder

ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

2. No state shall, without the consent of the congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the congress.

3. No state shall, without the consent of congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

SECTION I.—Executive Power. Electors, how appointed. Process of Election. Qualifications of the President of the United States. Vice President may officiate. Compensation. Oath.

1. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years, and, together with the vice-president, chosen for the same term, be elected as follows:—

2. Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the congress; but no senator or represen-

tative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

3. * [The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall immediately choose, by ballot, one of them for president; and if no person have a majority, then from the five highest on the list, the said house shall, in like manner, choose the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice.

In every case, after the choice of the president,

* This Section was amended in 1803. See 14th Article of Amendments, p. 31.

the person having the greatest number of votes of the electors, shall be the vice-president. But if there should remain two or more who have equal votes, the senate shall choose from them by ballot the vice-president.]

4. The congress may determine the time of choosing the electors, and the day on which they shall give their votes ; which day shall be the same throughout the United States.

5. No person, except a natural born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of president ; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

6. In case of removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president, and the congress may, by law, provide for the case of removal, death, resignation, or inability both of the president and vice-president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

7. The president shall, at stated times, receive for his services a compensation, which shall be neither increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

8. Before he enter on the execution of his

office, he shall take the following oath or affirmation :—

9. “I do solemnly swear, or affirm, that I will faithfully execute the office of president of the United States, and will to the best of my ability preserve, protect, and defend the constitution of the United States.”

SECTION II.—Powers of the President. Make Treaties. Appoint Officers. Vacancies in office.

1. The president shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

2. He shall have power, by, and with, the advice and consent of the senate, to make treaties, provided two thirds of the senators present concur; and he shall nominate, and by, and with, the advice and consent of the senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other offices of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the congress may by law vest the appointment of such inferior officers, as they think proper, in the president alone, in the courts of law, or in the heads of departments.

3. The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.

SECTION III.—Duties of the President of the United States.

1. He shall from time to time give to the congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient ; he may on extraordinary occasions, convene both houses, or either of them, and, in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper ; he shall receive ambassadors and other public ministers ; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECTION IV.—Officers removable by Impeachment.

1. The president, vice-president, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SECTION I.—Judicial Powers and Tenure of Judges.

1. The judicial power of the United States, shall be vested in one supreme court, and in such inferior courts as the congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their of-

fices during good behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

SECTION II.—Extension of Judicial Power. Supreme Court Jurisdiction. Trials by Jury.

1. The judicial power shall extend to all cases in law and equity, arising under this constitution, the laws of the United States, and the treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states—between a state and citizens of another state—between citizens of different states—between citizens of the same state claiming lands under grants of different states—and between a state, or the citizens thereof, and foreign states, citizens, or subjects.

2. In all cases affecting ambassadors, other public ministers, and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not com-

mitted within any state, the trial shall be at such place or places as the congress may by law have directed.

SECTION III.—Treason.

1. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeitures, except during the life of the person attainted.

ARTICLE IV.

SECTION I.—Acts of States Accredited.

1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

SECTION II.—Citizens' Privileges. Persons charged with Crimes fleeing.

1. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

2. A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

3. No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due.

SECTION III.—New States. Territories.

1. New states may be admitted by the congress into this Union ; but no new state shall be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states, or parts of the states, without the consent of the legislatures of states concerned, as well as of the congress.

2. The congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States ; and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

SECTION IV.—States protected.

1. The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion ; and on application of the legislature, (or of the executive, when the legislature cannot be convened,) against domestic violence.

ARTICLE V.

Amendments, how attained.

1. The congress, whenever two thirds of both houses shall deem it necessary, shall propose

amendments to this constitution, or on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the senate.

ARTICLE VI.

Debts prior to the adoption of the Constitution. Treaties, law of the land. Oath or affirmation to members.

1. All debts contracted and engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

2. This constitution, and the laws of the United States, which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding.

3. The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial offi-

cers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this constitution: but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

Ratification.

1. The ratification of the conventions of nine states, shall be sufficient for the establishment of this constitution between the states so ratifying the same.

Done in convention, by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty seven, and of the independence of the United States of America, the twelfth. In witness whereof, we have hereunto subscribed our names.

GEO. WASHINGTON,

President and Deputy from Virginia.

New Hampshire.

John Langdon,
Nicholas Gilman.

Massachusetts.

Nathaniel Gorham,
Rufus King.

Connecticut.

William Samuel Johnson,
Roger Sherman.

New York.

Alexander Hamilton.

New Jersey.

William Livingston,
David Brearly,
William Patterson,
Jonathan Dayton.

Pennsylvania.

Benjamin Franklin,
Thomas Mifflin,
Robert Morris,
George Clymer,
Thomas Fitzsimons,
Jared Ingersoll,
James Wilson,
Gouverneur Morris.

Delaware.

George Reed,
Gunning Bedford, jun.
John Dickinson,
Richard Bassett,
Jacob Broom.

<i>Maryland.</i>	Hugh Williamson.
James M'Henry,	<i>South Carolina.</i>
Daniel of St. Tho. Jenifer,	John Rutledge,
Daniel Carroll.	Charles C. Pinckney,
<i>Virginia.</i>	Charles Pinckney,
John Blair,	Pierce Butler.
James Madison, jun.	<i>Georgia.</i>
<i>North Carolina.</i>	William Few,
William Blount,	Abraham Baldwin.
Richard Dobbs Spaight,	
Attest :	WILLIAM JACKSON, Sec.

AMENDMENTS.

Articles in addition to, and amendment of, the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth article of the original Constitution.

ARTICLE I.

Religion. Press. Speech. Right of Petition.

Congress shall make no new law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II.

Right to bear Arms.

A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

ARTICLE III.

No Soldier to be billeted.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV.

Unreasonable Searches prohibited.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated ; and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

Proceeding in Criminal Cases. Person and Property sacred.

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service, in time of war or public danger ; nor shall any person be subject, for the same offence, to be twice put in jeopardy of life or limb ; nor shall be compelled in any criminal case to be a witness against himself ; nor be deprived of life, liberty, or property, without due process of law ; nor shall private property be taken for public use without just compensation.

ARTICLE VI.

Mode of Trial in Criminal Cases.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law ; and to be informed of the nature and cause of the accusation ; to be confronted with the witnesses against him ; to have compulsory process for obtaining witnesses in his favor ; and to have the assistance of counsel for his defence.

ARTICLE VII.

Mode of Trial in Civil Cases.

In suits at common law, where the value in con-

troversy shall exceed twenty dollars, the right of trial by jury shall be preserved ; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

ARTICLE VIII.

Bail. Fine. Punishments.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

Rights.

The enumeration in the constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

Powers reserved to the People.

The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively or to the people.

ARTICLE XI.

Limitation of Judicial Power.

The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States, by citizens of another state, or by citizens or subjects of any foreign state.

ARTICLE XII.

Manner of electing President and Vice-President.

1. The electors shall meet in their respective States, and vote by ballot for president and vice-president, one of whom at least, shall not be an inhabitant of the same state with themselves ; they shall name in their ballots the person voted for as president, and in distinct ballots the person voted for as vice-president and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice-

president, and of the number of votes for each ; which lists they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the president of the senate ; the president of the senate shall, in presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted ; the person having the greatest number of votes for president shall be the president, if such number be a majority of the whole number of electors appointed ; and if no person have such majority, then, from the persons having the highest numbers, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But, in choosing the president, the votes shall be taken by states, the representation from each state having one vote ; a quorum for this purpose shall consist of a member or members of two thirds of the states, and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the vice-president shall act as president, as in the case of the death or other constitutional disability of the president.

2 The person having the greatest number of votes as vice-president shall be the vice-president, if such number be a majority of the whole number of electors appointed ; and if no person have a majority, then, from the two highest numbers on the list, the senate shall choose the vice-president ; a quorum for the purpose shall consist of two thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of president, shall be eligible to that of vice-president of the United States.

PRESIDENTS OF THE UNITED STATES.

	Years.
1. George Washington, of Va., from 1789 to 1797,	8
2. John Adams, " Mass., " 1797 " 1801,	4
3. Thomas Jefferson, " Va., " 1801 " 1809,	8
4. James Madison, " Va., " 1809 " 1817,	8
5. James Monroe, " Va., " 1817 " 1825,	8
6. John Q. Adams, " Mass., " 1825 " 1829,	4
7. Andrew Jackson " Tenn., " 1829 " 1837,	8
8. Martin Van Buren, " N. Y., " 1837 " 1841,	4
9. William H. Harrison, " Ohio, " 1841. Died April,	
4, 1841, and was succeeded by Vice President	
John Tyler, of Va., from 1841 to 1845,	4
10. James K. Polk, " Tenn., " 1845 " 1849,	4
11. Zachary Taylor, " La., " 1849. Died July	
9, 1850, and was succeeded by Vice President	
Millard Fillmore, of N. Y., to 1853,	4
12. Franklin Pierce, of N. H., from 1853	

Reckoning to 1857, the *free states* have the office 18 years, 8 months and 25 days, — salaries \$468,402, — while the *slave states* have the office 49 years, 3 months and 5 days, — salaries \$1,231,597. And this is about the average amount of office and money bestowed on the North, with 13,400,000 freemen, and the South with 6,400,000 freemen, in the other principal departments.

South Carolina has 6 representatives in Congress, while New Hampshire, with a free population greater by 34,000 has only 3 ; and Virginia has 13, while Massachusetts, with a free population greater by 45,000, has only 11 ; and Mississippi has 5, while Wisconsin, with about 10,000 greater free population, has only 3.

The slave states, on the same basis of representation as the free, are entitled to only 65 representatives in Congress ; yet they have 90 ; i. e. 25 extra.

UNITED STATES.

FREE STATES.	Sq. MILES.	CENSUS OF 1850.	No OF REP S.
Maine,	31,766	583,169	6
New Hampshire,	9,280	317,976	3
Vermont,	10,212	314,120	3
Massachusetts,	7,800	994,514	11
Rhode Island,	1,300	147,545	2
Connecticut,	4,674	370,792	4
New York,	46,000	3,097,394	33
New Jersey,	8,320	489,555	5
Pennsylvania,	46,000	2,311,785	25
Ohio,	40,000	1,980,329	21
Indiana,	33,800	988,416	11
Illinois,	55,400	851,470	9
Michigan,	56,243	397,654	4
Wisconsin,	53,924	305,391	3
Iowa,	50,900	192,214	2
California,	155,980	92,597	2
	<u>611,599</u>	<u>13,434,921</u>	<u>144</u>

SLAVE STATES.

Delaware,	2,120	91,532	1
Maryland,	11,124	583,034	6
Virginia,	61,352	1,421,661	13
North Carolina,	50,700	869,039	8
South Carolina,	30,000	668,507	6
Georgia,	58,000	906,185	8
Florida,	59,300	87,445	1
Alabama,	50,700	771,623	7
Mississippi,	47,200	606,526	5
Tennessee,	45,600	1,002,717	10
Kentucky,	38,000	982,405	10
Missouri,	67,400	682,044	7
Arkansas,	52,200	209,897	2
Louisiana,	43,000	517,162	4
Texas,	325,500	212,592	2

942,196 9,612,369 of these 90
 3,204,313 are slaves. 144
 6,408,056 free. 234

TERRITORIES.	SQ. MILES.	CENSUS OF 1850.
Kansas,	124,800	170,000, indians.
Indian, s. of Ka.,	71,000	
Nebraska,	335,800	
Minnesota,	166,000	6,077
Washington,	123,000	12,093
Oregon,	185,000	
Utah,	269,200	11,380
New Mexico,	210,000	61,547
Mesilla,	78,000	10,000, mostly indians
Columbia dist.,	60	51,687
	1,562,860	143,734
TOTAL,	3,116,655	23,190,074

N. B. The above shows that the *free states* (not including California, whose political power is ever on the side of slavery), having a population of 13,432,324, have only 455,619 square miles; while the *slave states*, having a free population of about 6,400,000, have 942,196 square miles. This gives in the free states $29\frac{1}{2}$, and in the slave states about $6\frac{1}{2}$, free persons to the square mile.

A great reason why the slave-holders are so tenacious of slavery, is, that it gives them great political power, and enables them, by the aid of their allies, to control the north, and to use the purse and sword of the nation for their own purposes; that is, to make war for acquiring territory still more to extend slavery and increase their own power. To show their unequal power, take a representative district in South Carolina, having a free population of 5,800 of whom 500, are slaveholders, having each 300 slaves and 5 members of their own families; making 150,000, and 3,000 whites, equal to 153,000; and 2,800 non-slave-holders, of whom 400 are voters. Of the 500 slave-holders, 200 are women and minors, and 300 are voters, making in the district 700 voters who elect a representative to Congress, and wield as much power in national matters as a district in New England having 93,423 people, and 14,000 voters. So 700 South Carolina voters equal 14,000 New England voters; that is, 1 equals 20.

SUGGESTIONS.

1st. A thorough knowledge of the Constitution is important to every citizen. Without it, no one can wisely choose men duly fitted for office.

2d. Common men are competent to understand the constitution. They "ordained and established" it; and surely common men are able to know what they meant in all its parts.

3d. They *meant* just what they *said*; no more, no less.

4th. They were consistent. After plainly declaring their purposes as to "union," "justice," "the general welfare," and "the blessings of liberty to ourselves and our posterity," they did nothing contrary to these ends. So no part must be so construed as to conflict with these ends.

5th. The constitution being the basis of national law, its terms must be taken in the sense usual in other legal instruments. Thus, in Art. I., Sec. 2, ¶ 3, the term "free" is to be taken in its political sense; that is, *endowed with franchises*; and not, as it often means, unrestrained. Being used here as in other political papers, it distinguishes citizens from foreigners or aliens. Thus, a citizen is counted as *one*, but an alien as *three-fifths* of one.

So the phrases, "held to service," — Art. 4, Sec. 2, ¶ 3, and "bound to service," — Art. I, Sec. 2, ¶ 3, are legal phrases, and used in the same sense as in deeds, both meaning the same, and are applied to the very same persons; namely, those "bound" and "held" by contract signed by themselves or their legal guardians, and stating the *consideration* and *time*; that is, *the term of years* for which they are thus "bound" and "held;" and these phrases cannot be applied to others without manifest wrong, as well as outrage, to the laws of language and the rules of law. The "bound to service" were the same as the "held to service," and were all free persons, as indented apprentices, indented servants, redemptioners, and others bound by contract, not slaves, who are not "bound" at all, but *kept as property*, and in the words of South Carolina, "deemed chattels personal to all intents and purposes."





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